

## DECLARATION AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled A CUSTOM REPLACEMENT DEVICE FOR RESURFACING A FEMUR AND METHOD OF MAKING THE SAME, the specification of which was filed on March 17, 2000 and given Serial No. 09/528,128.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

### Prior Foreign Application(s)

Priority Claimed

(Number)(Country)(Day, month, year filed)	<u>Yes</u>	<u>No</u>
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:


(Application Serial No.)	Filing Date	(Status: Patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Please send all correspondence to:  
 OPPENHEIMER WOLFF & DONNELLY LLP  
 2029 Century Park East, Suite 3800  
 Los Angeles, California 90067  
 Attn: Christopher Darrow  
 (310) 788-5000

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, and this petition.

Full name of sole or first inventor: ROGER CARIGNAN

INVENTOR'S SIGNATURE  DATE 8/14/00  
Residence: 47 S. Santa Rosa, Ventura, California 93001  
Citizenship: U.S.A.  
Post Office Address: Same as above

Full name of second inventor: CLYDE R. PRATT

INVENTOR'S SIGNATURE  DATE 8/10/00  
Residence: 5898 La Cumbre Road, Somis, California 93066  
Citizenship: U.S.A.  
Post Office Address: Same as above

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Kinamed  
S. Oh



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCTOBER 03, 2000

PTAS



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SUNG OH, ESQ.  
2029 CENTURY PARK EAST, 38TH FLOOR  
LOS ANGELES, CALIFORNIA 90067

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/24/2000

REEL/FRAME: 010998/0480  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
CARIGNAN, ROGER

DOC DATE: 03/11/2000

ASSIGNOR:  
PRATT, CLYDE R.

DOC DATE: 03/10/2000

ASSIGNEE:  
KINAMED, INC.  
2192-C ANCHOR COURT  
NEWBURY PARK, CALIFORNIA 91320-1603

SERIAL NUMBER: 09528128  
PATENT NUMBER:

FILING DATE: 03/17/2000  
ISSUE DATE:

ALLYSON PURNELL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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OCT. 11 2000  
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08-18-2000



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Docket No. 410144-42

7.24.00  
**RECORDATION FORM COVER  
 PATENTS ONLY**

101436022

To the Hon. Commissioner of Patents &amp; Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

**Roger Carignan; and  
 Clyde R. Pratt**

Additional name of conveying party attached? \_\_\_ Yes XX No

2. Name and address of receiving party(ies)

Name Kinamed, Inc.Street Address: 2192-C Anchor Court,Newbury Park, California 91320-1603Additional name(s) and address(es) attached? \_\_\_ Yes XX No

3. Nature of conveyance:

X Assignment

\_\_\_ Merger

\_\_\_ Security Agreement

\_\_\_ Change of Name

\_\_\_ Other

Execution Date: March 10 & 11, 20004. Application number(s) or patent numbers: **09/528,128**

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? \_\_\_ Yes XXX No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name Sung Oh, Esq.Internal Address: 38th FloorStreet Address 2029 Century Park EastCity: Los AngelesState CAZIP 900676. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41)

\$40.00X Enclosed (Check No. 020550)X Any discrepancy or overpayment is authorized to be charged to deposit account

8. Deposit Account number:

16-2230

(Attach duplicate copy of this page if paying by deposit account)

**DO NOT USE THIS SPACE**

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Christopher Darrow, Reg. #30-166

Name of Person Signing

Signature

July 17, 2000

Date

Total number of pages including cover sheet, attachments, and document: 2

08/17/2000 MTHA11 00000151 09528128

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40.00 OP

# ASSIGNMENT

WHEREAS, we, Roger Carignan and Clyde R. Pratt, the undersigned inventors (ASSIGNORS), have invented a *Custom Replacement Device for Resurfacing a Femur and Method of Making the Same*, for which we filed an application for letters patent of the United States herewith. We have executed the application concurrently with executing this assignment. We are the sole owners of this invention and improvements; and

WHEREAS, KINAMED, INC., (ASSIGNEE) is a corporation, organized and existing under the laws of the State of California, having a place of business at 2192-C Anchor Court, Newbury Park, California 91320-1603. ASSIGNEE desires to acquire the entire right, title and interest in and to the inventions, applications and letters patent to be granted and issued for the inventions and applications;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) by the ASSIGNEE to us paid, and other valuable consideration, the receipt and legal sufficiency of all of which we acknowledge, we, the ASSIGNORS, have sold and do hereby sell, assign, transfer and set over unto the ASSIGNEE, its successors and assigns, the entire right, title and interest:

in and to the inventions and all improvements thereon,

in and to the application for letters patent thereon,

in and to applications pertaining to or based upon the inventions and applications, including divisional and continuing applications and continuations-in-part,

in and to any and all letters patent which may be granted and issued on the inventions and applications, or any of them, not only for, to and in the United States of America, its territories and possessions, but for, to and in all foreign countries, together with and including all priority rights based upon any and all applications in the United States of America covered by this Assignment, and

in and to any right to sue for past infringement of the inventions, improvements, applications and letters patent.

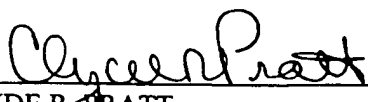
And for the above-named considerations, we agree that we will, at the request of the ASSIGNEE, execute any and all applications for letters patent for the inventions and any and all other papers and documents and do all other and further lawful acts that the ASSIGNEE may deem necessary or desirable to obtain letters patent on the inventions, to secure the grant of such letters patent and to perfect and vest in the ASSIGNEE the entire right, title and interest in the inventions, applications and letters patent.

And for the above-named considerations, we authorize and empower the ASSIGNEE, its successors and assigns, to apply for and obtain, in its or their own names, letters patent for the inventions before competent International Authorities including the World Intellectual Property Office and in any and all countries foreign to the United States in which applications for letters patent can be so made or letters patent so obtained.

Dated: 3-11-00

  
\_\_\_\_\_  
ROGER CARIGNAN

Dated: 3/10/00

  
\_\_\_\_\_  
CLYDE R. PRATT

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of:**

**Applicant: Roger Carignan and Clyde R. Pratt**

**Serial No.: To be Assigned**

**Filed: Herewith**

**Title: A CUSTOM REPLACEMENT DEVICE FOR  
RESURFACING A FEMUR AND METHOD OF  
MAKING THE SAME**

**POWER OF ATTORNEY**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

KINAMED, INC., having become the owner of all rights in and to the above-identified application by virtue of an Assignment executed by the inventors concurrently with the execution of the application, said Assignment:

☒ being submitted herewith for recording; or

☐ having been previously recorded with the U.S. Patent and Trademark  
Office, at reel \_\_\_ and frame(s)

hereby revokes all prior powers and now appoints:

W. POMS, Reg. 18,782

G.P. SMITH, Reg. 20,142

G.E. LANDE, Reg. 22,222

A.C. ROSE, Reg. 17,047

L.J. BOVASSO, Reg. 24,075

D.J. OLDENKAMP, Reg. 29,421

C. DARROW, Reg. 30,166

M.E. BROWN, Reg. 28,590

M. KONDZELLA, Reg. 18,013

A.P. BLOCK, Reg. 35,450

M.E. HARRIS, Reg. 26,690

K.A. MACLEAN, Reg. 31,118

S.R. HANSEN, Reg. 38,486

D.N. LARSON, Reg. 29,401

J.W. INSKEEP, Reg. 33,910

C. ROSENBERG, Reg. 31,464

J.D. VOELZKE, Reg. 37,957

L.C. CULLMAN, Reg. 39,645

A.C. LOGAN, Reg. 33,950

G.F. COTTERELL, Reg. 37,802

H.D. JASTRAM, Reg. 19,777

J.M. KALIS, Reg. 37,650

C.J. LERVICK, Reg. 35,244

whose address is:

**OPPENHEIMER WOLFF & DONNELLY LLP**

2029 Century Park East, 38th Floor  
Los Angeles, California 90067-3024  
Telephone (310) 788-5000  
Facsimile (310) 788-5100  
Attention: Sung Oh, Esq.

their attorneys to prosecute said application and to transact in connection therewith all business in the Patent and Trademark Office and ~~before competent international authorities.~~

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

KINAMED, INC.

Date: 3/10/00

By Clyde R. Pratt  
Name: Clyde R. Pratt  
Title: President and CEO